

*Express Mail Certificate Number: EV 493478692 US*  
*Date of Deposit: April 21, 2005*

DOCKET NO.: M1100.70002US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gabrio Roncucci, et al.  
Serial No.: Filed Herewith  
Confirmation No.: Not Yet Assigned  
Filed: April 21, 2005  
For: MESO-SUBSTITUTED PORPHYRINS

Examiner: Not Yet Assigned  
Art Unit: Not Yet Assigned

---

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Serial No.: Filed Herewith  
Conf. No.: Not Yet Assigned

- 2 -

Art Unit: Not Yet Assigned

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The relevance of Cite No. 3 listed on the attached form PTO-1449 (modified) is indicated in the enclosed International Search Report from corresponding International Application Serial No. PCT/EP2003/11642 and the enclosed International Preliminary Examination Report from corresponding International Application Serial No. PCT/EP2003/11642.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

10/532278

JC13 PCT/PTO 21 APR 2005

Serial No.: Filed Herewith  
Conf. No.: Not Yet Assigned

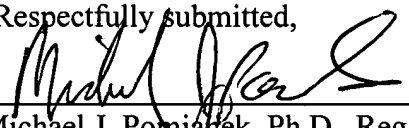
- 3 -

Art Unit: Not Yet Assigned

An early and favorable action is hereby requested.

Respectfully submitted,

By:

  
Michael J. Pomianek, Ph.D., Reg. No. 46,190  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Date: April 21, 2005  
xNDDx

JC13 PCT/PTO 21 APR 2005

FORM PTO-1449/A and B (Modified)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: Filed Herewith		ATTY. DOCKET NO.: M1100.70002US00	
				FILING DATE: April 21, 2005		CONFIRMATION NO.: Not Yet Assigned	
				APPLICANT: Gabrio Roncucci, et al.			
				GROUP ART UNIT: Not Yet Assigned		EXAMINER: Not Yet Assigned	
Sheet	1	of	1				

## U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

## FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	1	EP	0 906 758	A1	L. Molteni & C. dei Fratelli Alitti Societa di Esercizio S.P.A.	04-07-1999	N/A
	2	WO	01/96343	A1	L. Molteni & C. dei Fratelli Alitti Societa di Esercizio S.P.A.	12-20-2001	N/A
	3	WO	02/10173	A1	Ludovic Bourre, et al.	02-07-2002	N
	4	WO	98/33503		Board of Regents, The University of Texas	08-06-1998	N/A

## OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	5	D. L. DICK, et al., "Molecular Encapsulation: Cyclodextrin-Based Analogues of Heme-Containing Proteins." J.Am. Chem. Soc. 1992, 114, pp. 2664-2669.	

EXAMINER:	DATE CONSIDERED:
-----------	------------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]